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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/722,749	11/28/2000	Bengt Lindoff	040071-186	5258
7590 04/21/2004			EXAMINER	
Ronald L. Gudziecki			KIM, KEVIN	
BURNS, DOANE, SWECKER & MATHIS, L.L.P.			ART UNIT	
P.O. Box 1404			PAPER NUMBER	
Alexandria, VA 22313-1404			2634	

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/722,749

Applicant(s)

LINDOFF, BENGT

Examiner

Kevin Y Kim

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 13 is/are rejected.
- 7) ☒ Claim(s) 2-12 and 14-24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Jepsen et al (GB 2329796, submitted by applicant).

Consider claim 1. Jepsen et al discloses a method of detecting a data transmission comprising a known training sequence, comprising the steps of:

- a) selecting a detection parameter set from a table comprising a plurality of detection parameter sets based on the known training sequence, in that the receiver has the ability to operate with different data structures (page 2, lines 30-31) and this information is stored in a predefined form and communicated to the controller (page 2, line 33 – page 3, line 1). In other words, there are stored multiple “detection parameter sets” respectively corresponding to multiple training data structures, and “a detection parameter set” is selected for a selected training data structure.
- b) configuring a receiver using the selected detection parameter, in that the method of reception is modified depending on a selected training data structure (page 3, lines 10-12).
- c) receiving data transmission with thus configured receiver. Page 6, lines 21-25.

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Next consider claim 13. Jepsen et al teaches "a control unit" performing the recited function as described above. See Page 3, line 1. It also discloses "a channel estimator." Page 3, lines 1-5. Regarding "a synchronization unit" and "an equalizer unit," a GSM receiver such as disclosed by Jepsen et al typically includes an equalizer for removing intersymbol interference and a synchronization unit for synchronizing receiver timing.

Allowable Subject Matter

3. Claims 2-12 and 14-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

No prior art has been found to teach selecting a synchronization technique, a channel model or equalization technique based upon a known training sequence.

Information Disclosure Statement

4. The information disclosure statement filed on April 27, 2001 lists two pending U.S. applications. Since these U.S. applications, not published at the time of filing of the instant application are not a prior art, and thus have been crossed out. These applications are considered, though, because they are mentioned in the specification under the heading of Related Application, not purposes of prior art but purposes of double patenting.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Malkamaki et al (Us 5,577,024) describes a typical GSM receiver referring to Fig. 2.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Y Kim whose telephone number is 703-305-4082. The examiner can normally be reached on 8AM --5PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 703-305-4714. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

kvk


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